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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 CENTEX HOMES, a Nevada general
11 partnership,

12 Plaintiff,

13 v.

14 GREENWICH INSURANCE COMPANY,
a Connecticut corporation; LEXINGTON
15 INSURANCE COMPANY, a Delaware
corporation; and AXIS SURPLUS
16 INSURANCE COMPANY, an Illinois
corporation,

17 Defendants.
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Case No.: 3:21-cv-00438-MMD-CLB

**STIPULATION AND [PROPOSED] ORDER
TO DISMISS DEFENDANT LEXINGTON
INSURANCE COMPANY, INC. WITH
PREJUDICE**

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20 IT IS HEREBY STIPULATED by and between Plaintiff Centex Homes (“Plaintiff”) and
21 Defendant Lexington Insurance Company, Inc. (“Defendant”), through their respective attorneys

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1 of record, that Plaintiff's Complaint filed against Defendant shall be dismissed with prejudice
2 pursuant to FRCP 41(a)(2). Each party shall bear their own attorneys' fees and costs.

3 Dated: September 13, 2022

Dated: October 4, 2022

4 PAYNE & FEARS LLP

HEROLD & SAGER

5
6 By: /s/ Sarah J. Odia
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Attorneys for Plaintiff

By: /s/ Andrew D. Herold
Andrew D. Herold, Esq.
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*Attorneys for Defendant Lexington
Insurance Company*

10 **ORDER**

11 IT IS SO ORDERED that Plaintiff's claims against Defendant Lexington Insurance
12 Company, Inc. in the instant matter, Case No. 3:21-cv-00438-MMD-CLB, are dismissed with
13 prejudice. Each party shall bear their own attorneys' fees and costs.
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15 DATED: October 4, 2022

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18 UNITED STATES DISTRICT COURT JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of October, 2022, a true and correct copy of **STIPULATION AND [PROPOSED] ORDER TO DISMISS DEFENDANT LEXINGTON INSURANCE COMPANY, INC. WITH PREJUDICE** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Jennifer Stephens
Jennifer Stephens, an Employee of
PAYNE & FEARS LLP

4860-3097-8099.1

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